

House Engrossed Senate Bill

FILED

**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
Senate
Forty-seventh Legislature
Second Regular Session
2006

CHAPTER 372

SENATE BILL 1441

AN ACT

AMENDING TITLE 17, CHAPTER 4, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 4;
MAKING AN APPROPRIATION; RELATING TO WILDLIFE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 17, chapter 4, Arizona Revised Statutes, is amended by
3 adding article 4, to read:

4 ARTICLE 4. WILDLIFE HABITAT RESTORATION AND ENHANCEMENT FUND
5 17-471. Wildlife habitat restoration and enhancement fund;
6 commission duties

7 A. THE WILDLIFE HABITAT RESTORATION AND ENHANCEMENT FUND IS
8 ESTABLISHED CONSISTING OF LEGISLATIVE APPROPRIATIONS FOR SPECIFIC WILDLIFE
9 HABITAT RESTORATION AND ENHANCEMENT PROJECTS. MONIES IN THE FUND ARE SUBJECT
10 TO LEGISLATIVE APPROPRIATION AND ARE EXEMPT FROM THE PROVISIONS OF
11 SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS. ON NOTICE FROM THE
12 DIRECTOR OF THE ARIZONA GAME AND FISH DEPARTMENT, THE STATE TREASURER SHALL
13 INVEST AND DIVEST MONIES IN THE FUND AS PROVIDED IN SECTION 35-313 AND MONIES
14 EARNED FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

15 B. THE COMMISSION SHALL:

16 1. MONITOR AND HAVE OVERSIGHT OF SPECIFIC PROJECTS FOR WHICH THE
17 LEGISLATURE APPROPRIATES MONIES TO THE WILDLIFE HABITAT RESTORATION AND
18 ENHANCEMENT FUND.

19 2. IF NECESSARY, CHANGE THE PRIORITY OF APPROPRIATED PROJECTS UNDER
20 ITS OVERSIGHT, BUT ANY CHANGE IN PRIORITY SHALL BE SUBJECT TO APPROVAL OF THE
21 COMMISSION AT A PUBLIC HEARING.

22 3. SUBMIT A SEMIANNUAL REPORT ON THE WORK, GOALS, OBJECTIVES AND
23 FUNDING OF THE WILDLIFE HABITAT RESTORATION AND ENHANCEMENT FUND TO THE
24 GOVERNOR, THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF
25 REPRESENTATIVES, THE CHAIRPERSONS OF THE SENATE AND HOUSE OF REPRESENTATIVES
26 APPROPRIATIONS COMMITTEES AND PROVIDE A COPY OF THE REPORT TO THE SECRETARY
27 OF STATE AND THE DIRECTOR OF THE ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC
28 RECORDS.

29 Sec. 2. Appropriation; wildlife habitat; exemption

30 A. The sum of \$3,500,000 is appropriated from the state general fund
31 in fiscal year 2006-2007 to the wildlife habitat restoration and enhancement
32 fund and is appropriated from the fund to the Arizona game and fish
33 department to be used for the following purposes in the order of priority
34 given, unless changed at a public hearing by the commission:

35 1. Anderson Mesa grassland restoration.

36 2. Kaibab winter range habitat improvement.

37 3. Yuma region water redevelopments.

38 4. Wildlife water redevelopments north of the Colorado river.

39 5. Pinetop region deer habitat restoration project, including the
40 Chitty Creek habitat restoration project, the Pigeon habitat restoration
41 project and the Sheep Wash ecosystem improvement project.

42 B. The appropriations made in subsection A of this section are exempt
43 from the provisions of section 35-190, Arizona Revised Statutes, relating to
44 lapsing of appropriations.